

22883

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FREE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$790.00)

**Complete if Known**

|                      |             |
|----------------------|-------------|
| Application Number   | 10/688,080  |
| Filing Date          | 10/17/2003  |
| First Named Inventor | Varma       |
| Examiner Name        | Pezzlo, J.  |
| Art Unit             | 2662        |
| Attorney Docket No.  | 164.1011.07 |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number  
Deposit Account Name

50-0365

Swernofsky Law Group PC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 200      | 2005         | 100      | Provisional filing fee |          |

SUBTOTAL (1) (\$0.00)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |  | Extra Claims |  | Fee from below |  | . Fee Paid |
|--------------------|--|--------------|--|----------------|--|------------|
| Total Claims       |  | -20**=       |  | X              |  |            |
| Independent Claims |  | - 3**=       |  | X              |  |            |
| Multiple Dependent |  |              |  |                |  |            |

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 1202         | 50       | 2202         | 25       | Claims in excess of 20                                    |          |
| 1201         | 200      | 2201         | 100      | Independent claims in excess of 3                         |          |
| 1203         | 360      | 2203         | 180      | Multiple dependent claim, if not paid                     |          |
| 1204         | 200      | 2204         | 100      | **Reissue independent claims over original patent         |          |
| 1205         | 50       | 2205         | 25       | **Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$0.00)

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 120      | 2251         | 60       | Extension for reply within first month                                     |          |
| 1252         | 450      | 2252         | 225      | Extension for reply within second month                                    |          |
| 1253         | 1,020    | 2253         | 510      | Extension for reply within third month                                     |          |
| 1254         | 1,590    | 2254         | 795      | Extension for reply within fourth month                                    |          |
| 1255         | 2,160    | 2255         | 1,080    | Extension for reply within fifth month                                     |          |
| 1401         | 500      | 2401         | 250      | Notice of Appeal   |          |
| 1402         | 500      | 2402         | 250      | Filing a brief in support of an appeal                                     |          |
| 1403         | 1000     | 2403         | 500      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,370    | 2453         | 685      | Petition to revive - unintentional   |          |
| 1501         | 1,400    | 2501         | 700      | Utility issue fee (or reissue)   |          |
| 1502         | 800      | 2502         | 400      | Design issue fee   |          |
| 1503         | 1,100    | 2503         | 550      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    | \$790.00 |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$790.00)

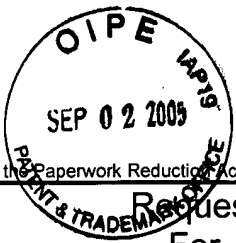
**SUBMITTED BY****Complete (if applicable)**

|                   |                      |                                   |        |           |              |
|-------------------|----------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Steven A. Swernofsky | Registration No. (Attorney/Agent) | 33,040 | Telephone | 650-947-0700 |
| Signature         | <i>SA Swernofsky</i> |                                   |        | Date      | 8-31-2005    |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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22883

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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RCE  
JPW

Request  
For  
Continued Examination (RCE)  
Transmittal

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

|                        |             |
|------------------------|-------------|
| Application Number     | 10/688,080  |
| Filing Date            | 10/17/2003  |
| First Named Inventor   | Varma       |
| Art Unit               | 2662        |
| Examiner Name          | Pezzlo, J.  |
| Attorney Docket Number | 164.1011.07 |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0365
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed) (2 copies)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                      |                                   |           |
|-------------------|----------------------|-----------------------------------|-----------|
| Name (Print/Type) | Steven A. Swernofsky | Registration No. (Attorney/Agent) | 33,040    |
| Signature         | <i>SA Swernofsky</i> | Date                              | 8-31-2003 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                   |            |      |           |
|-------------------|------------|------|-----------|
| Name (Print/Type) | JPW        | Date | 8/31/2005 |
| Signature         | <i>JPW</i> |      |           |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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164.1011.07

10/688,080



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Subir VARMA

Serial No.: 10/688,080

Filed: Oct. 17, 2003

For: Automatic Retransmission and Error  
Recovery for Packet Oriented Point-  
To-Multipoint Communication

Art Unit: 2662

Examiner: John PEZZLO

Tel: (571) 272-3090

Office Action Mailed:

May 31, 2005

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37 CFR § 1.8)

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as First Class Mail, in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on 8/31/2005  
Date

By:

AMENDMENT WITH REQUEST  
FOR CONTINUED EXAMINATION

Dear Examiner:

This paper is an amendment filed with a Request for Continued Examination (RCE) under 35 U.S.C. § 132(b). Applicant conditionally requests an extension of time in the event that one is required for this paper. In accordance with 37 CFR § 1.136(a)(3), authorization is hereby granted to charge any required extension of time fees under 37 CFR § 1.17 to Deposit Account No. 50-0365. Authorization is also hereby granted to charge any additional claim fees and any other fees necessary for filing of this paper to Deposit Account No. 50-0365.